

**FRANKLIN TOWNSHIP
CHESTER COUNTY**

ORDINANCE NO. 2017-01

**AN ORDINANCE OF FRANKLIN TOWNSHIP, CHESTER
COUNTY, COMMONWEALTH OF PENNSYLVANIA
AMENDING THE FRANKLIN TOWNSHIP ANIMAL
ORDINANCE, TO AMEND CHAPTER 2, TO ADD A NEW
PART 2 GOVERNING ANIMAL CONTROL**

BE IT ENACTED AND ORDAINED by the Board of Supervisors of Franklin Township, the Franklin Township Code of Ordinances is hereby amended as follows:

Section 1. Chapter 2 of the Franklin Township Code of Ordinances is hereby amended to add a new Part II as follows:

**PART 2
ANIMAL CONTROL**

§2-201. Unlawful to allow animals to run at large or trespass.

It shall be unlawful for the owner, custodian or keeper of any animal to allow such animal to run at large at any time upon any of the streets or public property and parks in Franklin Township. Further, it shall be unlawful for the owner, custodian or keeper of any animal to allow such animal to run at large or trespass, whether under the immediate control of the owner or not, upon private property in Franklin Township of other than the owner, custodian or keeper. Immediate control shall be defined as the effective use of leash or a leash used in combination with a harness, halter, muzzle and/or similar device, except hunting dogs accompanying a duly licensed hunter in regular hunting season upon property where hunting is not prohibited by the owner or by law

§2-202. Duty to seize and impound animals.

It shall be the duty of any police officer, authorized dog control officer or contracted animal control agency of Franklin Township who witnesses any animal running at large or trespassing in conflict with the provisions of this article, or who receives information of any animal so running at large or trespassing, to seize such animal and dispatch it to a place designated by the Board of Supervisors as a pound. Notice of such seizure shall be sent to the owner of such animal (if the owner can be determined) in the manner prescribed by law, and such animal may be redeemed by the owner thereof within the time specified by law. The owner of an animal so seized and detained shall reimburse the Township for all costs and expenses that it incurs by reason thereof within sixty (60) days of the release or other disposition of the animal. Rates for such charges shall be determined from time to time by the Board of Supervisors.

§2-203. Violations and penalties.

Any person, firm or corporation that violates or permits the violation of any provision of this article shall be subject to a fine in an amount not to exceed \$600, plus all court costs, including reasonable attorneys' fees, incurred by the Township. If the penalty imposed for the violation of this Article I is not voluntarily paid to the Township, the Township shall initiate a civil enforcement proceeding before a Magisterial District Judge. Upon a finding of liability for committing said violation or permitting said violation in such civil enforcement proceeding commenced by the Township, the defendant shall pay the fine, including additional daily penalties for continuing violations, plus costs and attorneys' fees. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable Rules of Civil Procedure.

§ 2-204 Exemption.

The provisions of § 2-201 pertaining to dogs on private property under the immediate control of the owner shall not apply to any blind person owning a guide dog, any deaf person owning a hearing dog, any handicapped person who uses a dog for aid, or any municipal or state police department or agency using a dog in the performance of the functions or duties of such department or agency.

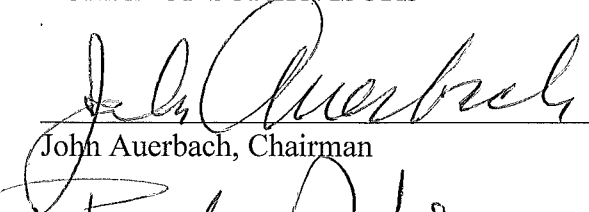
Section 2. Severability. Should any section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of any other section or provision of this Ordinance than the one so declared.

Section 3. Repealer. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed to the extent of the said inconsistency.

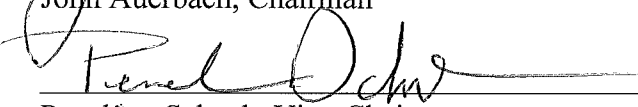
Section 4. Effective Date. This Ordinance shall be effective five (5) days from the date of enactment.

ENACTED AND ORDAINED by the Board of Supervisors of Franklin Township, Chester County, Pennsylvania, this 15th day of February, 2017.


FRANKLIN TOWNSHIP
BOARD OF SUPERVISORS



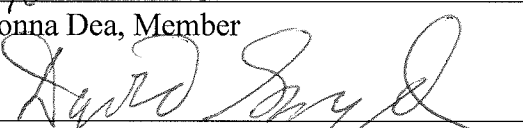
John Auerbach, Chairman




Penelope Schenk, Vice-Chairman



Donna Dea, Member



David Snyder, Member



Steffen J. Torres, Member

ATTEST:



Secretary